

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA, Plaintiff,)

CRIMINAL CASE NO. 08mj 1936

v.)

Defendant.)

**ORDER AND CONDITIONS OF PRETRIAL
RELEASE: BAIL (18 U.S.C. § 3142(c))**

A hearing was held to determine pretrial conditions of release of the defendant pursuant to 18 U.S.C. § 3142. The Federal Judge determined an unconditional release pursuant to 18 U.S.C. § 3142(b) is not sufficient to assure the appearance of the defendant and the safety of the community. Thus, conditions of pretrial release are necessary pursuant to 18 U.S.C. § 3142(c). **Good cause appearing,**

IT IS ORDERED that the defendant shall be released subject to the condition that the defendant: **(a) not commit a federal, state or local crime during the period of release, (b) make all court appearances and (c) comply with the conditions itemized below, as indicated by (✓), in accordance with 18 U.S.C. § 3142(c)(2):**

STANDARD CONDITIONS:

- ✓ 1. restrict travel to ☐ San Diego County, ☒ Southern District of California, ☐ Central District of California, ☐ State of California, ☐ United States, ☒ do not enter Mexico, ☐ other: _____;
- ✓ 2. report for supervision to Pretrial Services Agency (PSA) as directed by the assigned PSO and pay for the ~~reasonable costs of supervision in an amount determined by PSA and approved by the Court;~~
- ✓ 3. not possess or use any narcotic drug or controlled substance, (defined in 21 U.S.C. § 802), without a lawful medical prescription;
- ✓ 4. not possess any firearm, dangerous weapon or destructive device during the pendency of the case;
- ✓ 5. read, or have explained, and acknowledge understanding of the Advice of Penalties and Sanctions Form;
- ✓ 6. provide a current residence address and phone number prior to release and keep it current while case pending.

ADDITIONAL CONDITIONS:

- ✓ 7. be able to legally remain in the United States during pendency of the proceedings;
- ✓ 8. submit to treatment, and/or testing, as specified by the PSO, for:
 - ☒ drugs or alcohol, and/or ☒ psychiatric or psychological counseling;
- 9. participate in a Global Positioning System (GPS) satellite monitoring program, ☒ including, release of defendant to PSA custody; and ☐ residence restrictions and/or ☐ permissive travel for employment. Defendant and sureties are responsible for GPS equipment loss or damage.
 - ☐ submit to supervision and custody of _____; and/or
 - ☐ remain at a specified residence (curfew) between the hours of _____ P.M. and _____ A.M. daily;
- ✓ 10. actively seek and maintain full-time employment, ~~schooling, or combination of both;~~ See #16
- ✓ 11. execute a personal appearance bond in the amount of \$ 45,000 secured by:
 - ☐ a trust deed to the United States on real estate approved by a Federal Judge;
 - ☒ the co-signatures of 2 financially responsible (related) adults;
 - ☐ Nebbia Hearing ☐ Exam of Sureties ☐ other: _____
- 12. provide the court with: ☐ a cash bond and/or ☐ execute a bail bond by an approved solvent corporate surety in the amount of \$ _____ that covers **ALL** conditions of release (not just appearances).
- ✓ 13. 18 U.S.C. § 3142(d) hold until July 8; if no detainer is lodged by then, these conditions take effect.
- 14. clear all warrants/FTA's within _____ days of release.
- 15. all conditions previously set will remain the same.
- ✓ 16. other conditions: comply with any restraining order. reside with a surety in a safer living home as directed by PTS and comply with their work restriction

DATED: 4/24/08

cc: Defendant/Counsel & U.S. Pretrial Services

Federal Judge